

Attorney Docket No: 24518/2012 (Serial No.:09/09/771,708)

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REMARKS

Claims 43-44 and 47-54 are currently pending in the application. Claims 43, 44 and 47-51 are amended. Claims 45 and 46 are cancelled, and the limitation of claims 45 and 46 are incorporated into claim 43. New claims 52-54 are added. The amendments and new claim find support in the specification, and are discussed in the relevant sections below. New claim 52 is supported by originally-filed claim 48. New claim 53 is supported at page 6, line 24 to page 7, line 2; page 7, lines 8-12; page 18, line 30 to page 19, line 1; page 21, lines 23-26; page 27, lines 20-23, etc. New claim 54 is supported at page 10, lines 4-7. No new matter is added.

Attorney's Representative

The Office Action was incorrectly mailed to Applicants' previous representative, Oliff & Berridge. Please note that responsibility for this application has been transferred to Palmer & Dodge LLP. A Revocation and Appointment of New Powers of Attorney was filed on January 25, 2002.

Priority

Applicants have submitted under separate cover a Petition for acceptance of amendment of the priority claim for the present application, specifically, inclusion in the priority claim of United Kingdom Application No. 0002310.1, filed February 1, 2000. A Supplemental Amendment is enclosed which contains the amended "Reference to Related Application" paragraph to include United Kingdom Application No. 0002310.1 in anticipation of the acceptance of the Petition.

It is noted that acceptance of the Petition and formal acknowledgement of the priority claim removes the Gunderson *et al.* reference as prior art under 35 U.S.C. § 102(a) and § 103.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 50 and 51 are rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

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These claims have been amended as suggested by the Examiner. Applicants therefore respectfully request that the rejection on this basis be reconsidered and withdrawn.

Claim Rejections Under 35 U.S.C. §§ 102(a) and (b)

The Gunderson *et al.* (EP 0 995 804 A2, published April 26, 2000, Lockhart *et al.* (WO 97/27317, published July 13, 1997) and Lane *et al.* (WO 97/08183, published March 6, 1997) references do not teach or suggest an array of molecules spaced at least 100nm apart, as required by the amended claims.

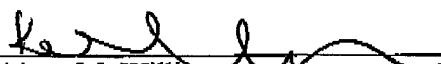
Claim Rejections Under 35 U.S.C. § 103(a)

The Lane *et al.* (WO 97/08183, published March 6, 1997) and Lockhart *et al.* (WO 97/27317, published July 13, 1997) references do not teach or suggest an array molecules spaced 100nm apart, as required by the amended claims.

Applicants submit that in view of the foregoing remarks, all issues relevant to patentability raised in the Office Action have been addressed. Applicants respectfully request the withdrawal of rejections over the claims of the present invention.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDMENTS:

Specification Amendments Under 37 C.F.R. § 1.121(b)(1)(iii)

Please replace the paragraph at page 1, lines 3 through 4 with the paragraph below, which is marked up by way of bracketing and underlining to show the changes relative to the previous version of the paragraph:

This Application is a continuation in part of PCT/GB99/02487, which designated the United States and was filed July 30, 1999, and was published in English. The present application also claims benefit of United Kingdom App. No. 9822670.7, filed October 16, 1998, and European App. No. 98306094.8, filed July 30, 1998. The entire teachings of the above applications are incorporated herein by reference.